



5-4-07 IFW 3634

PTO/SB/21 (04-07)

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TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	10/565,610
	Filing Date	01/23/2006
	First Named Inventor	Daniel R. Smith et al.
	Art Unit	3634
	Examiner Name	To be assigned
Total Number of Pages in This Submission	Attorney Docket Number	0275G-001165/US/NP

ENCLOSURES (check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Supplemental Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Technology Center (TC) <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Form 1449 with 4 cited references attached (63 pages); and return receipt postcard.
Remarks		The Commissioner is hereby authorized to charge any additional fees that may be required under 37 CFR 1.16 or 1.17 to Deposit Account No. 02-2550. A duplicate copy of this sheet is enclosed.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm Name	Harness, Dickey & Pierce, P.L.C.		
Signature			
Printed name	Michael J. Lang, Ph.D.		
Date	May 3, 2007	Reg. No.	51,120

CERTIFICATE OF TRANSMISSION/MAILING			
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.			
Typed or printed name	Michael J. Lang, Ph.D.	Express Mail Label No.	EV 522 877 822 US (5/3/2007)
Signature		Date	May 3, 2007

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.: 10/565,610
Filing Date: 01/23/2006
Applicant: Daniel R. Smith et al.
Group Art Unit: 3634
Examiner: To be assigned
Title: BLIND FASTENER AND METHOD OF SETTING
Attorney Docket: 0275G-001165/US/NP

Director of the United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Sir:

Pursuant to 37 C.F.R. §§ 1.56, 1.97 and 1.98, Applicant hereby submits an Information Disclosure Statement for consideration by the Examiner.

I. **LIST OF PATENTS, PUBLICATIONS, AND OTHER INFORMATION**

The patents, publications and other information requested to be considered by the Office (except unpublished U.S. patent applications) are listed on Form 1449 attached hereto.

II. **COPIES**

A. ☒ Submitted herewith is a legible copy of (i) each foreign patent; (ii) each publication or that portion which caused it to be listed, other than U.S. patents and U.S. patent application publications unless required by the Office; (iii) each unpublished U.S. application listed below in Section IV (i.e., including the specification, claims, and any drawing of the application, or that portion of the application which caused it to be listed, including any claims directed to that portion), except for such applications filed on or after June 30, 2003, pursuant to the Waiver of the Copy Requirement in 37 C.F.R. 1.98 (OG Notice dated October 19, 2004); and (iv) all other information or that portion which caused it to be listed.

B. ☐ Any patents, publications or other information which are listed on Form 1449 or on the copies of PTO-892, but which are not enclosed herewith, were previously cited by or submitted to the PTO in one of the following applications which has been relied upon for an earlier filing date under 35 U.S.C. § 120:

U.S. Serial Number

U.S. Filing Date

C. ☐ This is a PCT application in the entry of the National Phase in the United States. A copy of the International Search Report is attached for the Examiner's information. The documents listed on the International Search report are listed on the attached Form 1449 for consideration by the Examiner and for listing on any patent resulting from this application. If the International Search report was from the US, EPO, or JPO search authorities, copies of these references should have been supplied to the USPTO under the trilateral agreement and are believed to be in the file of the above-identified application. (MPEP 1893.03(g).)

III. CONCISE EXPLANATION OF THE RELEVANCE (check at least one box)

A. ☒ Except as may be indicated below in (B), all of the patents, publications or other information are in the English language (concise explanation not required).

B. ☒ A concise explanation of the relevance of each patent, publication or other information listed that is not in the English language is as follows (see 37 C.F.R. § 1.98(a)(3)):

1. ☐ See the attached foreign patent office communication from a counterpart foreign application:

2. ☐ English translations are provided:

3. ☒ Other:

JP 11153114 A is equivalent to US Patent No. 6,004,086.

IT 1 113 461 B is equivalent to US Patent No. 4,218,953.

C. ☐ The following additional information is provided for the Examiner's consideration.

IV. CROSS REFERENCE TO RELATED APPLICATION(S)

A. ☐ The Examiner is advised that the following co-pending application(s) contain(s) subject matter that may be related to the present application. By bringing this(these) application(s) to the Examiner's attention, Applicant(s) does (do) not waive the confidentiality provisions of 35 U.S.C. § 122.

Serial No.
10/654,072

Filing Date
09/03/2003

Art Unit
3677

V. THIS IDS IS BEING FILED UNDER

A. ☐ **37 C.F.R. § 1.97(b):** (check only one box)

1. ☐ within three months of the filing date of a national application other than a continued prosecution application under § 1.53(d) (37 C.F.R. § 1.97(b)(1)). No fee or certification is required.
2. ☐ within three months of the date of entry of the national stage as set forth in § 1.491 in an international application (37 C.F.R. § 1.97(b)(2)). No fee or certification is required.
3. ☒ before the mailing of a first Office Action on the merits (37 C.F.R. § 1.97(b)(3)). No fee or certification is required. In the event that a first Office Action on the merits has been issued, please consider this IDS under 37 C.F.R. § 1.97(c) and see the certification under 37 C.F.R. § 1.97(e) below; or, if no certification has been made, charge our deposit account a fee in the amount of \$180.00 as required by 37 C.F.R. § 1.17(p).
4. ☐ before the mailing of a first Office Action after the filing of a request for continued examination under 37 C.F.R. § 1.114. No fee or certification is required.

B. ☐ **37 C.F.R. § 1.97(c):** (check only one box)

before the mailing date of either any Final Office Action under 37 C.F.R. § 1.113, a Notice of Allowance under 37 C.F.R. § 1.311, or an action that otherwise closes prosecution.

1. ☐ No certification; therefore, a fee in the amount of \$180.00 is required by 37 C.F.R. § 1.17(p).
2. ☐ See the certification below. No fee is required.

C. ☐ 37 C.F.R. § 1.97(d):

after the mailing date of either a Final Office Action under 37 C.F.R. § 1.113 or a Notice of Allowance under 37 C.F.R. § 1.311, yet on or before payment of the issue fee.

1. ☐ See the certification below. A fee in the amount of \$180.00 is required by 37 C.F.R. § 1.17(p).

VI. CERTIFICATION UNDER 37 C.F.R. § 1.97(e): (check only one box)

The undersigned hereby certifies that:

A. ☐ each item of information contained in this IDS was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this IDS (See 37 C.F.R. § 1.97(e)(1)). See further statement under 37 C.F.R. 1.704(d) below in section VII, if applicable; or

B. ☐ no item of information contained in this IDS was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned after making reasonable inquiry, no item of information contained in this IDS was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this IDS (See 37 C.F.R. § 1.97(e)(2)).

C. ☐ some of the items of information were first cited in a communication from a foreign patent office. As to this information, the undersigned hereby certifies that each item of information contained in this IDS was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this IDS. As to the remaining information, the undersigned hereby certifies that no item of this remaining information contained in this IDS was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned after making reasonable inquiry, no item of information contained in this IDS was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this IDS.

VII. STATEMENT UNDER 37 C.F.R. 1.704(d)

The undersigned hereby states that:

☐ each item of information contained in this IDS was cited in a communication from a foreign patent office in a counterpart application and this communication was not received by any individual designated in 37 C.F.R. § 1.56(c) more than thirty days prior to the filing of this IDS.

VIII. PAYMENT OF FEES (check only one box)

A. ☐ A check in the amount of \$180.00 is enclosed for the above identified fee.

B. ☐ Please charge Deposit Account No. 02-2550 in the amount of \$180.00 for the above-indicated fee. A duplicate copy of this paper is attached.

The above references are being cited only in the interest of candor and without any admission that they constitute statutory prior art, contain matter which anticipates the invention, or which would render the same obvious, either singly or in combination, to a person of ordinary skill in the art. Furthermore, this Information Disclosure Statement shall not be construed as a representation that a search has been made.

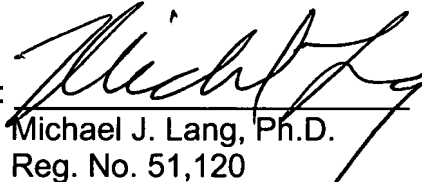
If it is determined that this IDS has been filed under the wrong rule, the PTO is requested to consider this IDS under the proper rule (with a petition if necessary) and charge the appropriate fee to Deposit Account No. 02-2550.

Please charge any additional fees or credit any overpayment pursuant to 37 C.F.R. § 1.16 or § 1.17 to Deposit Account No. 02-2550.

Dated: May 3, 2007

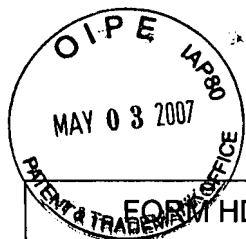
Respectfully submitted,

By:


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MJL/mm



PATENT AND TRADEMARK OFFICE
INFORMATION DISCLOSURE CITATION
 (Use several sheets if necessary)

Sheet 1 of 3

ATTORNEY DOCKET NO.	SERIAL NO.
0275G-001165/US/NP	10/565,610
APPLICANT	
Daniel R. Smith et al.	
FILING DATE	GROUP
January 23, 2006	3634

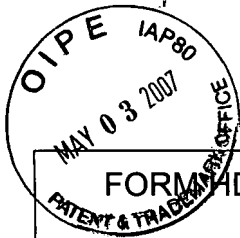
U.S. PATENT DOCUMENTS

Ref. Desig.	Examiner's Initials	Document Number	Date	Name	Class/ Subclass	(If appropriate) Filing Date
1.		2003/0175095	09/18/2003	Clarke		
2.		2003/0177626	09/25/2003	Paynter		
3.		2004/0068854	04/15/2004	Kato et al.		
4.		2004/0071526 A	04/2004	Lesecq, Jean-Pierre		
5.		2004/0162151	08/19/2004	Mauer et al.		
6.		2005/0008455	01/13/2005	Guy		
7.		3,276,499	12/30/1963	Reusser		
8.		3,279,304	07/07/1965	Hopkins		
9.		3,750,518	08/1973	Rayburn, Charles Calvin		
10.		4,003,288 A	01/1997	Jeal, Harvey Philip		
11.		4,218,953	08/26/1980	Haytayan		
12.		4,629,380	12/16/1986	Gunkel et al.		
13.		4,781,500	11/01/1988	Mauer		
14.		5,054,977 A	10/1991	Schultz, Max		
15.		5,056,207	10/15/1991	Ladouceur		
16.		5,252,014 A	10/1993	Andrews, George A.		
17.		5,441,417	08/15/1995	Ladouceur et al.		
18.		5,618,142	04/08/1997	Sondén et al.		
19.		5,644,830	07/08/1997	Ladouceur et al.		
20.		5,722,144	03/03/1998	Bora		
21.		5,752,305	05/19/1998	Cotterhill et al.		

Examiner:

Date Considered:

EXAMINER: Please initial if citation considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.



FORM PDP-1449 (Based on Form PTO-1449)

PATENT AND TRADEMARK OFFICE
INFORMATION DISCLOSURE CITATION
(Use several sheets if necessary)

Sheet 2 of 3

ATTORNEY DOCKET NO.	SERIAL NO.
0275G-001165/US/NP	10/565,610
APPLICANT	
Daniel R. Smith et al.	
FILING DATE	GROUP
January 23, 2006	3634

U.S. PATENT DOCUMENTS

Ref. Desig.	Examiner's Initials	Document Number	Date	Name	Class/ Subclass	(If appropriate) Filing Date
22.		6,042,313 A	03/2000	Dehlke, Klaus		
23.		6,254,324	07/03/2001	Smith et al.		
24.		6,263,560	07/24/2001	Edwards		
25.		6,276,050	08/21/2001	Mauer et al.		
26.		6,325,584	12/04/2001	Marko et al.		
27.		6,338,601	01/15/2002	Mauer et al.		
28.		6,362,448	02/26/2002	Röser		
29.		6,385,843	05/14/2002	Singh et al.		
30.		6,398,472	06/04/2002	Jones		
31.		6,428,255	08/06/2002	Smith		
32.		6,502,008	12/31/2002	Maurer et al.		
33.		6,663,329	12/16/2003	Singh et al.		
34.		6,802,682	10/12/2004	Stevenson et al.		
35.		6,814,531	11/09/2004	Stevenson et al.		
36.		6,877,646	04/12/2005	Paynter		

FOREIGN PATENT DOCUMENTS

Ref. Desig.	Examiner's Initials	Document Number	Date	Country	Class/ Subclass	Translation Yes	No
1.		IT 1 113 461 B	01/20/1986	Italy			X
2.		2 038 979 A	07/1980	Great Britain			

Examiner:

Date Considered:

EXAMINER: Please initial if citation considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.



FORM HDP-1449 (Based on Form PTO-1449)

**PATENT AND TRADEMARK OFFICE
INFORMATION DISCLOSURE CITATION**

(Use several sheets if necessary)

Sheet 3 of 3

ATTORNEY DOCKET No.

SERIAL No.

0275G-001165/US/NP

10/565,610

APPLICANT

Daniel R. Smith et al.

FILING DATE

GROUP

January 23, 2006

3634

FOREIGN PATENT DOCUMENTS

Ref. Desig.	Examiner's Initials	Document Number	Date	Country	Class/ Subclass	Translation	
						Yes	No
3.		1 289 819	09/1972	Great Britain			
4.		JP 11153114 A	06/1999	Japan			X

Examiner:

Date Considered:

EXAMINER: Please initial if citation considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.